

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

HUNTER DOSTER, *et al.*,

Plaintiffs,

v.

PETE HEGSETH, *et al.*,¹

Defendants.

No. 1:22-cv-00084
Hon. Matthew W. McFarland

DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants respectfully notify the Court of the Supreme Court's decision in *Lackey v. Stinnie*, 604 U.S. ---- (Feb. 25, 2025) (slip op.) (attached as Exhibit A). In that case, the Supreme Court held that "[p]reliminary injunctions do not make a party 'prevailing' [under 42 U.S.C. § 1983] because they do not conclusively decide the case on the merits." *Id.* at 1.

Pursuant to this Court's August 14, 2024 order, ECF No. 144, this case remains stayed pending resolution of Plaintiffs' appeal.

Dated: February 27, 2025

Respectfully submitted,

YAAKOV M. ROTH
Acting Assistant Attorney General
Civil Division

ALEXANDER K. HAAS
Director
Federal Programs Branch

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Pete Hegseth, Secretary of the Department of Defense, is substituted as a defendant in his official capacity for his predecessor, Frank Kendall.

LAUREN A. WETZLER
Deputy Director
Federal Programs Branch

/s/ Cassandra M. Snyder

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CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2025, I electronically filed the foregoing paper with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Cassandra M. Snyder
Cassandra M. Snyder